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AN ACT
RELATING TO PUBLIC WORKS; AMENDING THE PUBLIC WORKS
APPRENTICE AND TRAINING ACT TO ALLOW EXPENDITURE OF FUNDS FOR
APPROVED APPRENTICE AND TRAINING PROGRAMS NOTWITHSTANDING
CERTAIN LIMITING LANGUAGE OF THE GENERAL APPROPRIATION ACT;
MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 13-4D-5 NMSA 1978 (being Laws 1992,
Chapter 74, Section 5) is amended to read:

"13-4D-5. FUND CREATED--DISBURSEMENT OF FUNDS.--There
is created the "public works apprentice and training fund" in
the labor and industrial division of the labor department.
Contributions into the fund shall be as provided under the
provisions of Section 13-4D-4 NMSA 1978. Funds contributed
under the provisions of the Public Works Apprentice and
Training Act shall be distributed in the following manner:

A. no more than fifteen percent of the funds may
be used by the public works bureau of the labor and
industrial division of the labor department to hire staff to
administer the funds collected by the division; and

B. the remainder of the funds shall be used for
approved apprentice and training programs in New Mexico. The
labor and industrial division of the labor department shall
develop an annual budget and, subject to appropriation by the

1 legislature in the general appropriation act, shall disburse
2 funds to approved apprentice and training programs in New
3 Mexico, taking into account participant contact hours of
4 classroom instruction and on-the-job training for the
5 preceding year, to be not less than ninety percent of one
6 hundred forty-four contact hours of classroom instruction per
7 participant per school year and not less than one thousand
8 hours of on-the-job training per twelve-month period.

9 Notwithstanding any language in the general appropriation act
10 that otherwise limits budget adjustments, if the fund balance
11 available for disbursement to approved programs exceeds the
12 amount appropriated, pursuant to Sections 6-3-23 through
13 6-3-25 NMSA 1978, the labor department may request budget
14 increases up to the excess fund balance for distribution to
15 the programs."

16 Section 2. TEMPORARY PROVISION--PUBLIC WORKS APPRENTICE
17 AND TRAINING FUND--2004 APPROPRIATION.--Money appropriated in
18 the General Appropriation Act of 2004 from the public works
19 apprentice and training fund for apprentice and training
20 programs but not disbursed and expended because of budget
21 adjustment limitations contained in that act shall be
22 disbursed and expended in fiscal years 2005 and 2006
23 notwithstanding those limitations. _____